REMARKS/ARGUMENTS

The undersigned representative of the Applicants thanks the Examiner for removing the previous objections to the formal drawings and specification. The Examiner is respectfully requested to give approval of the previously filed formal drawings in section 10) of the Office Action Summary page.

In the final office action, claims 1-6, 9-11, 13-23, 26-28, 30-34 and 36-49 were rejected under 35 U.S.C. 102(e) as allegedly being anticipated by DeMello, et al. (US 7,017,189). Applicant respectfully traverses the rejection.

DeMello is directed to a system for providing protection to digital content (e.g., video, audio, etc.). In the final office action, the Examiner asserts that the recited element "signature tag" in the claims is disclosed by the "activation certificate" in DeMello. The "activation certificate" in DeMello is used to decrypt an encrypted digital content. However, this activation certificate contains a public/private key pair that is associated with a particular "persona" (DeMello, column 15, lines 41-45), and a "persona" is a unique identifier that is tied to a user (DeMello, column 10, lines 32-37). A user, in turn, can read a purchased content (title) by use of reader software 92 that has been activated by the above "persona" (i.e., unique identifier) that was used to purchase the purchased content (DeMello, column 10, lines 37-40).

Independent claim 1 is being amended to recite the features of claims 2 and 3. Independent claim 1 distinguishes over DeMello, at least by reciting a method including "signature tag" that identifies a track that is stored in a memory of a digital entertainment unit, wherein the track includes media

content, and wherein the signature tag includes information about the digital entertainment unit that stores the track, and the source of the track. In contrast, the "activation certificate" of DeMello contains a public/private key pair that is associated with a particular "persona" that only identifies a user. The activation certificate does not identify the track that is stored in a memory of a digital entertainment unit and does not identify other information such as the digital entertainment unit that stores the track and the source of the track. Therefore, DeMello does not disclose various features that are recited in claim 1. Accordingly, claim 1 is patentable over DeMello.

Independent claims 16, 36, and 42 are being amended to recite the above similar features that are not disclosed and are not suggested by DeMello. Claims 33-35 and 48 each recites a signature tag that identifies a track that is stored in a memory of a digital entertainment unit and that identifies the digital entertainment unit with the memory that stores the track, and these features are not disclosed and are not suggested by DeMello. Accordingly, claims 16, 33-35, 36, 42, and 48 are each patentable over DeMello.

Claims 4-6, 9-11, 13-15, 17-18, 21-23, 26-28, 30-32, 39-41, 45-47, and 49 depend from one of claims 1, 16, 36, 42, and 48 and are each patentable over DeMello for at least the same reasons that claims 1, 16, 36, 42, and 48 are each patentable over DeMello. Furthermore, each of the claims 4-6, 9-11, 13-15, 17-18, 21-23, 26-28, 30-32, 39-41, 45-47, and 49 distinguishes over DeMello by reciting additional features in combination with the features that are recited in their respective base claim. Accordingly, claims 4-6, 9-11, 13-15,

17-18, 21-23, 26-28, 30-32, 39-41, 45-47, and 49 are each patentable over DeMello.

For the above reasons, Applicant requests reconsideration and withdrawal of the rejection under 35 U.S.C. §102.

In the final office action, claims 7, 8, 24, and 25 were rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over DeMello, in view of Margolis, et al. (US Pat. App. Pub. No. 2004/0255140 A1). Applicant respectfully traverses the rejection.

The Examiner correctly admits in the final office action that DeMello does not specifically disclose the content information is obtained from a third party service and does not specifically disclose the content information comprise album data and track data. In an attempt to overcome the deficiencies of DeMello, the Examiner relies on Margolus in an attempt to show various features.

Claims 7, 8, 24, and 25 depend from claims 1 and 16, respectively and are each patentable over the combination of DeMello and Margolus for at least the same reasons that claims 1 and 16 is patentable over the cited references, considered singly or in combination. Furthermore, each of the claims 7, 8, 24, and 25 distinguishes over the combination of DeMello and Margolus by reciting additional features in combination with the features recited in their respective base claim. Accordingly, claims 7, 8, 24 and 25 are each patentable over the combination of DeMello and Margolis.

For the above reasons, Applicant requests reconsideration and withdrawal of the rejection under 35 U.S.C. §103.

In the final office action, claims 12, 29, and 35 were rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over DeMello, in view of Olarig, et al. (US 6,032,257).

The Examiner correctly admits in the final office action that DeMello does not specifically disclose sending the digital entertainment unit to a repair facility if failure occurs and does not specifically disclose sending the digital entertainment unit to the repair facility and returning the digital entertainment unit to the customer. In an attempt to overcome the deficiencies of DeMello, the Examiner relies on Olarig in an attempt to show various features.

Claims 12 and 29 depend from claims 1 and 16, respectively and are each patentable over the combination of DeMello and Olarig for at least the same reasons that claims 1 and 16 is patentable over the cited references, considered singly or in combination. Furthermore, each of the claims 12 and 29 distinguishes over the combination of DeMello and Olarig by reciting additional features in combination with the features recited in their respective base claim. Accordingly, claims 12 and 29 are each patentable over the combination of DeMello and Olarig.

Independent claim 35 distinguishes over DeMello, at least by substantially reciting a method including a signature tag that identifies the track that is loaded by a customer into the memory of the digital entertainment unit and that identifies the digital entertainment unit with the memory with the loaded track, and such recited features are not disclosed or are not suggested by the DeMello-Olarig combination. Accordingly, claim 35 is patentable over the DeMello-Olarig combination.

Accordingly, claims 12, 29, and 35 are each patentable over the combination of DeMello and Olarig.

For the above reasons, Applicant requests reconsideration and withdrawal of the rejection under 35 U.S.C. §103.

Applicant respectfully requests allowance of all pending claims.

If the undersigned attorney has overlooked a teaching in the cited reference that is relevant to the allowability of the claims, the Examiner is respectfully requested to specifically point out where such teachings may be found.

CONTACT INFORMATION

If the Examiner has any questions or needs any additional information, the Examiner is invited to telephone the undersigned attorney at (805) 681-5078.

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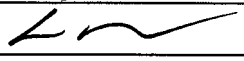
Signature:			
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